United Nations A/HRC/WG.6/32/COM/1

General Assembly

Distr.: General
6 November 2018
English
Original: French

Human Rights Council
Working Group on the Universal Periodic Review
Thirty-second session
21 January–1 February 2019

National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Comoros

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GE.18-18648 (E) 301118 301118

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I. Introduction

1. Human rights are a matter of real concern for the Union of the Comoros. The country has made ongoing efforts and taken measures to strengthen the status of these rights in order to comply with relevant international standards.

2. Since the country's transition to democracy, its various Constitutions have solemnly proclaimed this commitment to the universal principles of promoting, protecting and respecting human rights.

3. The revised Constitution of July 2018 introduced major changes in the field of human rights and contains an entire Title on them. In previous Constitutions, by contrast, such rights had merely been proclaimed in a preamble.

4. Human rights are being strengthened through specific actions with respect to freedoms and economic and social rights.

5. Significant steps are being taken to provide universal access to education and health care. Classrooms are being built or renovated. The State is training primary and secondary school teachers. Legislative measures are being taken to make access to health care a reality. A law on universal health coverage has been passed. Studies are being carried out in preparation for the roll-out of a general health insurance scheme, and a multisectoral steering committee has been established.

6. New infrastructure projects have been completed or are under way (roads, hospitals, etc.).

7. The energy sector has seen a marked improvement, and power cuts have been virtually eradicated.

8. As for strategies and policies, the country has developed the Strategy for Accelerated Growth and Sustainable Development for the period 2015–2019. It was revised in 2017 to cover the period 2018–2021 and thus take into account the Sustainable Development Goals, which the Comoros supports. A priority action plan for the Strategy has also been adopted.

9. In addition, the Comoros has developed the Five-Year Investment Plan for the period 2016–2021.

10. In partnership with the United Nations system, the country has adopted a United Nations Development Assistance Framework for the period 2015–2019.

11. In December 2017, the Union of the Comoros adopted a national youth policy.

12. The Union of the Comoros has participated in various international human rights forums for such purposes as sharing experience, expertise and best practices with other States.

13. In 2009, the country was reviewed by its peers as part of the first cycle of the universal periodic review. During this exercise, it received and accepted 52 recommendations. Thanks to political stability and the Government's proactive approach, most of these recommendations were implemented and thus had a highly positive impact on human rights.

14. In January 2014, the Union of the Comoros participated in the second cycle of the universal periodic review in Geneva.

15. Following this review, the Comoros accepted for implementation 102 recommendations from its peers covering several areas of human rights. A further nine recommendations were considered to have already been implemented or to be in the process of implementation. However, the last eight recommendations made did not enjoy the support of the Comoros.

16. The Union of the Comoros is required to submit a report on the implementation of above-mentioned recommendations and the overall human rights situation in preparation for the third review of the country, which is scheduled for 2019.

17. The format of this report complies with the guidance note on the preparation of third cycle reports. It thus begins with a description of the process for the preparation of the report and then goes on to provide information on: (a) the status of implementation of recommendations from previous cycles; (b) the status of implementation of voluntary pledges; (c) new and emerging issues, including advances and challenges in that regard; and, lastly, (d) challenges which would require the support of the international community.

II. Process for the preparation of the report

18. This report was drawn up under the supervision of the Human Rights Delegation and the Ministerial Committee on follow-up to the universal periodic review.

19. The Committee was established pursuant to Decision No. 17-008/MEGSMJAIAPDH/CAB of 27 April 2017, as amended by a decision of September 2018.[1]

20. With the support of the United Nations, a consultant was hired to assist the Committee. He presented a methodological note that was approved by all stakeholders in the process.

21. Under the supervision of the Human Rights Delegation and with the support of the Committee's members, the consultant held meetings with all the bodies involved in drafting the report, including the ministries concerned, the Assembly of the Union of the Comoros and civil society organizations.

22. The methodology involved gathering information from these bodies and carrying out cross-checks, verifications and analysis to ensure its consistency.

23. The process was overseen by the Human Rights Delegation, a standing follow-up and monitoring body under the Ministry of Justice and Human Rights, and the Committee on follow-up to the universal periodic review, which is also attached to the Ministry.[2]

24. First, an initial draft of the report was submitted to the Committee on follow-up to the universal periodic review for approval.

25. Subsequently, it was submitted to United Nations bodies (the United Nations Population Fund (UNFPA), the World Health Organization (WHO), the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), etc.) to obtain their input.

26. Finally, it was approved at a national workshop.

27. The recommendations that emerged from these exercises have been used to improve the report.

III. Status of implementation of recommendations and pledges made during the second cycle of the universal periodic review

28. During the previous cycle, 102 recommendations were issued. They can be grouped into four subject areas:

- Cross-cutting issues
- Civil and political rights
- Economic and social rights
- Rights of specific groups

A. Cross-cutting issues

Environmental issues (recommendation 98)

29. The revised Constitution recognizes the right of Comorians to "a healthy and ecologically balanced environment".

30. For geographical reasons, the Comoros is highly vulnerable to environmental factors. As an island country, it faces incontrovertible environmental risks. Ongoing efforts are thus being made in this area.

31. On 9 November 2016, a bill ratifying the Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal was submitted to the Assembly.

32. The country has also ratified the Paris Agreement on Climate Change, the Minamata Convention on Mercury, promulgated by Decree No. 16-067/PR of 13 June 2017, and the Statute of the International Renewable Energy Agency, by Act No. 15-005/AU.

33. A law on food legislation and a law on plant protection were adopted and promulgated in 2017. On 29 May 2017, a bill on the national system of protected areas in the Comoros was submitted to the Assembly for adoption at its October session.

34. Act No. 17-011/AU banning the production, import, marketing and distribution of non-biodegradable plastic packaging and bags was promulgated by Decree No. 17-107/PR of 5 October 2017.

35. The 20-year National Energy Sector Strategy developed by the Comoros with the support of the European Union prioritizes environmental protection by promoting clean energy alternatives in order to significantly reduce deforestation.

36. Broadly speaking, the Strategy for Accelerated Growth and Sustainable Development envisages a form of development that is compatible with environmental protection. This aspect of the Strategy, which is part of its first priority area, covers "the promotion of green and blue economies, integration, the protection of biodiversity and sustainable land management; (iii) climate change and risk management; and (iv) the factoring of climate and natural catastrophe risks into space usage and land planning".[3]

37. The Strategy for Accelerated Growth and Sustainable Development includes a target to increase the area of the country covered by forest to 6 per cent.

B. Civil and political rights

1. Legislative framework

38. The principle of respect for fundamental rights was laid down in the preamble to the revised Constitution. These rights were listed, but no further details were given.

39. The most recent revised version of the Constitution, as amended by the Referendum Act of July 2018, introduced major changes in the field of human rights: these rights are now not only mentioned in the preamble, as had previously been the case, but are also dealt with in a number of dedicated provisions. This represents an important step forward in promoting, protecting and respecting human rights.

40. Articles 1 and 2 of Title I of the Constitution guarantee respect for these rights and lay down the principle of equality before the law without distinction as to race, sex or religion.

41. Title II of the Constitution, entitled "Citizens' Rights and Duties", is devoted entirely to human rights. Chapter II establishes individual, political, social and economic rights and freedoms.

42. In an interesting development, the Constitution provides for the civil responsibility of the State and public bodies if their employees infringe a right in the course of their duties.

43. Besides the Constitution, the Assembly of the Union of the Comoros has adopted several laws on human rights, including ratification acts. Further details will be given under each subject area.

2. Institutional framework (recommendations 18, 19, 20, 22, 23, 24 and 32)

44. The situation of the National Commission for Human Rights and Freedoms is a special case: no new members were appointed to the Commission following the expiration of the members' term of office in July 2017 because the outgoing team failed to set in motion the nomination process.

45. Despite this setback, the Commission's three-person permanent secretariat was kept on to manage its day-to-day affairs.

46. The bodies previously responsible for appointing the Commission's members, for example the Island Councils, were abolished under the new Constitution, and the process of nominating members was entrusted to other bodies.

47. The process has been completed, and the members were appointed pursuant to Decree No. 18-088/PR of 22 September 2018.

48. The Commission will become operational in October.

49. Under Decree No. 18-040/MJAIAPDH/CAB of 19 September 2018, the Ministry of Justice appointed new members to the Committee on follow-up to the universal periodic review, among them a journalist working on justice issues and a member of the National Observatory of Places of Detention.

50. The committee is composed of the following members:

- The Secretary-General of the Ministry of Justice
- The Legal Adviser to the President of the Union of the Comoros
- The Delegate General for Human Rights
- The Director General for Legal Affairs
- A journalist working on justice and human rights issues

51. This same drive for improved organization and efficiency led the Government to thoroughly re-examine the Act on the National Commission for Action against and Prevention of Corruption. The Commission's mandate has expired and has not been renewed, as the Government considered that it did not meet the efficiency standards that had been established to ensure that its work did not become a purely academic exercise. Work is currently under way to address the situation. (Recommendations 23, 24 and 25)

3. Right to life, freedom and personal safety (recommendations 1, 2, 3, 4, 5, 6, 7, 8 and 9)

52. These recommendations concern the death penalty. The Government of the Union of the Comoros has demonstrated a strong commitment to its abolition. For example, the draft Criminal Code submitted to the Assembly provided for the death penalty's abolition, but the members of the Assembly did not adopt it.

53. The Comoros has applied the death penalty on three occasions since gaining independence in 1975; it has not been applied since 2009.

54. Currently, the death penalty has a largely deterrent effect. Given the emergence of threats such as terrorism, the Government considers that it should be retained as a deterrent but that awareness of the issue should continue to be raised among members of the Assembly.

55. The Government thus accepts the idea of abolishing the death penalty; however, its abolition should be a gradual process as its immediate abolition might be misunderstood in a society unfamiliar with the subtleties of law and justice.

56. The Government fully supports the idea of abolishing the death penalty. The draft Criminal Code contained provisions to that effect, but they were subsequently amended so that it can still be applied in murder cases.

4. Administration of justice, including impunity and the rule of law

(a) Improving detention conditions (recommendations 55, 56, 57, 58, 59, 60, 61 and 62)

57. The country is seriously concerned about the prison system in general, and detention conditions in particular, but a lack of resources has prevented measures that have been approved from being implemented. Efforts are nevertheless being made to improve the sector.

58. The country's three detention centres are in a very poor state. Urgent action is needed to bring them into line with relevant international standards.

59. The Government has decided to carry out a full-scale renovation of the Moroni detention centre in order to improve detention conditions. Studies are already being conducted.

60. There are plans to build a new facility with the support of the European Union, and its future location has been decided.

61. There are also plans to train judges in humanitarian law.

62. The Ministry of Justice has established the National Observatory of Places of Detention under the programme of support for the effective administration of justice and respect for human rights, with funding from the United Nations Peacebuilding Fund. The Observatory was incorporated as an association governed by the Act of 1984 to ensure its effective independence.

63. The mandate of the Observatory's officers has expired and is being renewed.

64. The Human Rights Delegation is carrying out an assessment of detention conditions. This involves conducting interviews on the ground with detainees in order to present the Ministry of Justice with proposals aimed at significantly improving conditions.

65. The Ministry of Foreign Affairs has signed an agreement with the International Committee of the Red Cross to guarantee its full access to places of detention.

66. A bill on the organization of prisons is pending adoption. This revolutionary text places great emphasis on prisoner rehabilitation. It provides for the establishment and training of a corps of prison officers. Training for prison officers is also provided for in the Five-Year Investment Plan.[4]

67. By law, minors must be held separately from adults and women from men in dedicated areas. There are separate blocks for women in all three of the country's detention centres. Minors are also held separately from other detainees at the facilities in Mutsamudu (Anjouan) and Fomboni (Moheli).

(b) Administration of justice

68. The justice system continues to face major challenges, even though real progress has been made. With the support of technical and financial partners, important measures have been planned in terms of training and infrastructure.

69. With the support of the European Union, the Government of the Union of the Comoros has developed an ambitious project to overhaul the judiciary. The project, which has received funding from the European Union totalling €9 million, focuses on the following areas:

(a) Promoting judicial independence and integrity;

(b) Improving the accessibility and effectiveness of the public justice service;

(c) Ensuring legal certainty through skills development for those involved in the justice system;

(d) Guaranteeing legal certainty by compiling, updating and disseminating the law;

(e) Making an effective contribution to the fight against corruption;

(f) Modernizing judicial infrastructure and equipment.

70. The project is currently awaiting approval.[5]

71. The Ministry of Justice is currently negotiating a training plan for judges and registrars with Madagascar, Côte d'Ivoire, Senegal and Burkina Faso.

72. In this context, the country has passed two important laws, namely Organic Act No. 15-006/AU on the Supreme Council of Justice, promulgated by Decree No. 16-021/PR of 20 January 2016, and Organic Act No. 15-08/AU repealing and replacing Act No. 05-018/AU of 31 December 2005 on the status of judges.

(c) Access to justice (recommendation 58)

73. A bill on legal aid is currently pending before the Assembly of the Union. A guide on access to justice is being drafted. These measures come on top of those already taken by the Government under the programme of support for the effective administration of justice and respect for human rights funded by the United Nations Peacebuilding Fund.

74. In one example of good practice, Comorian lawyers assist and defend the poor on a pro bono basis.

75. Article 15 of the Constitution represents an important step forward in that it enshrines the right of access to justice and defence and, more importantly, expressly provides for the concept of "reasonable time".

76. This is very important, as the courts remain slow to deliver justice, although targeted measures have been taken to speed up the process, including widespread use of pretrial hearings.

77. A bill establishing a national ombudsperson was drawn up in 2017 to consolidate the process of strengthening social cohesion.

78. A reception and guidance centre for persons in contact with the justice system has been opened in Mutsamudu on a pilot basis, and the Ministry of Justice plans to open further such centres in Fomboni and Moroni.

5. Fundamental freedoms and public participation in political life (recommendation 21)

79. As already noted, the Government has not let up its efforts in this field. The Comoros has ratified the main human rights instruments. Pursuant to article 12 of the Constitution, treaties or agreements that have been ratified or adopted take precedence over national law once they have been promulgated.

80. A law on political parties was passed in 2014 to facilitate wider and more structured participation by the people. There are no restrictions on freedom of association.

IV. Economic, social and cultural rights

81. The new Constitution contains an entire section on economic and social rights. Articles 37 and 38 lay down the principle of the right to work and job security.

82. These rights are covered in the second priority area of the Strategy for Accelerated Growth and Sustainable Development, which is entitled "Accelerating human capital development and promoting social well-being".

83. The Union of the Comoros is pursuing the following goals under this priority area: "(i) promoting the population's health and nutrition and accelerating demographic transition; (ii) expanding education provision and improving the quality of education, including higher education and vocational training; (iii) promoting decent work, social

protection, youth and sport; and (iv) promoting quality of life, access to water/sanitation and sustainable energy services."[6]

84. These rights are the focus of several of the targets set under the United Nations Development Assistance Framework and the Five-Year Investment Plan.

A. Right to work and to just and favourable conditions of work

1. Ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (recommendation 15)

85. Act No. 003/CL of 13 November 2001, promulgated by Decree No. 01-133/EC of 29 December 2001, authorized the ratification of this Convention.

2. Access to work, including for young people (recommendations 64, 65 and 66)

86. The Constitution recognizes the right of all citizens to work (arts. 37 and 38). Steps are being taken to make young people more employable. With the support of external partners, including the African Development Bank, the country is constantly striving to improve the business climate. Thus, assistance is currently being provided to the National Agency for Investment Promotion.

87. The country also aims to become part of the group of emerging nations by 2030.

88. In 2017, the country adopted a national youth policy focused on the following areas:

- Education and skills development
- Health and well-being
- Employment and entrepreneurship
- Young people's rights, governance and empowerment

89. Employability is addressed in strategic objective 2.3, entitled "Promoting decent work, social protection, youth, sport and culture", of priority area 2 of the Strategy for Accelerated Growth and Sustainable Development.

90. The target is to bring unemployment down to under 10 per cent by 2019 through higher growth.

91. The measures taken to meet this objective include the creation of the Employment Centre, whose central mission is to help young people to find work.

92. In 2017, the Comoros implemented a youth training policy, which has begun delivering results.

93. The International Labour Office has just launched a project to support the Employment Centre in reaching its objectives.

94. A legislative proposal on protections for unskilled workers in the Comoros has been submitted to the Assembly.

95. The Union of the Comoros has also adopted a Decent Work Country Programme.

3. Right to social security

96. The National Social Protection Policy and its action plan were drawn up in June 2014.

97. The Social Protection Framework Act was passed in 2017.

98. At the institutional level, the National Social Security Fund provides coverage against occupational accidents and the Pension Fund supports retirees.

4. The right to an acceptable standard of living

Poverty reduction (recommendations 68, 94, 95, 96, 97, 101 and 102)

99. The Comoros has put together programmes and strategies to combat poverty.

100. The first such programme was the Poverty Reduction and Growth Strategy Paper for the period 2006–2009.

101. The country subsequently adopted the Strategy for Accelerated Growth and Sustainable Development for the period 2015–2019 (which had itself been updated to align with the Sustainable Development Goals) and an accompanying priority action plan for the same period.

102. In 2014, with the support of the World Bank, the Government adopted a national policy on inclusive and sustainable protection, which provides, among other things, for the development of a social safety net for the most vulnerable groups and improved access to basic social services.

103. The country's score on the Human Development Index increased in 2015, and the poverty rate fell from 44.8 per cent in 2004 to 34.2 per cent in 2014.

104. The National Strategy for the Development of Statistics for the period 2008–2012 was updated to align with the period covered by the 2015–2019 Strategy for Accelerated Growth and Sustainable Development.

105. The country has also adopted a United Nations Development Assistance Framework for the period 2015–2019.

106. The projects funded by the country's technical and financial partners, including United Nations bodies and the European Union, have largely been focused on the social sector (health care and education).

B. Access to safe drinking water (recommendation 68)

107. The Union of the Comoros has adopted a policy aimed at improving the entire population's access to water. In 2015, many water supply projects were carried out through the Project to Support the Supply of Safe Drinking Water.[7] Several programmes have been launched to improve access to water in rural areas.

108. In 2014, the country developed a national strategy on access to safe drinking water and sanitation.

109. The Union of the Comoros has updated its Water Code. After the Comoros Water and Electricity Company was split up, the country created a new water management company with a view to achieving widespread access to safe drinking water.

C. Food and soil management[8]

110. The country has adopted Act No. 17-005 of 10 June 2017 on food legislation in the Union of the Comoros.

111. In 2014, the Comoros adopted a Country Programming Framework for the period 2014–2019. Its main priority areas are the "intensification, diversification and commercialization of agricultural and livestock production for improved food security" and "strengthening governance and sustainable management of forest and other natural resources, which includes land management".

D. Housing

112. The Act on the Urban Planning and Housing Code was passed in 2015, and its implementing decrees were passed later the same year.

113. In 2016, a study was carried out to identify problems in the housing sector and formulate ideas on how to solve them.

114. The study follows the National Land Policy adopted in 1997.[9]

115. In addition, the main aim of the country's action plan for the period 2011–2016 is to develop a land use scheme.

E. Access to energy

116. The enjoyment of economic and social rights depends on access to energy, which remains a recurring problem in the Comoros. Successive Governments have sought to resolve the problem.

117. National development strategies such as the Poverty Reduction and Growth Strategy Paper and the Strategy for Accelerated Growth and Sustainable Development call for the entire population to have access to energy.

118. In 2013, the country adopted a 20-year national energy strategy.

119. One of the strategy's main objectives is to "improve people's access to energy by aiming to connect all households to electricity by 2020 and achieve an average annual energy consumption, from all sources, of 0.5 toe per capita".[10]

120. There has been a marked improvement in access to electricity, and the number of power cuts has fallen. In addition, the country has sought to promote clean energy, such as geothermal and solar.

V. Right to health (recommendations 69, 70, 71, 72, 73, 74, 75 and 76)

A. Legislative framework

121. Article 32 of the Constitution adopted by referendum in July 2018 expressly provides for the right to health.

122. Considerable work is needed to improve the health-care sector. The country has implemented a national health-care financing strategy.

123. This is covered in the priority area of the Strategy for Accelerated Growth and Sustainable Development entitled "Accelerating human capital development and promoting social well-being".

124. The Union of the Comoros has adopted and is already implementing a national health-care strategy for the period 2015–2024.

125. Universal health-care coverage has been established by Act No. 17-012, promulgated by Decree 17-105/PR. The health map is being revised to place greater emphasis on access to health.

126. Health care has been made more affordable. For instance, patients pay significantly reduced fees for prenatal consultations, caesarean sections and normal births. Most of the fees are borne by the State through a European Union project.

127. The Comoros plans to establish a general health insurance scheme. A multisectoral steering committee (with representatives from the finance and health-care sectors) has been set up to implement the scheme and has adopted a road map to guide its work.

128. In 2018, two studies on the general health insurance scheme were approved.

B. Infrastructure

129. Several medical facilities have been refurbished, and new wards have been built in rural areas to improve access to health care, especially for mothers and children.

130. In 2018, the State supported the Military Health Service in building and equipping a maternity ward in order to free up beds at the Moroni hospital. The Mother and Child Centre and the Mitsoudjé Hospital also benefited from this support.

131. The State has initiated a large construction project for a teaching hospital in Moroni.

132. The Mbambao Mtsanga referral hospital in Anjouan is operational.

133. With the ongoing support of UNICEF and WHO, significant steps have been taken to reduce child mortality, which remains a major source of concern for the Comoros. The results have been encouraging.

134. UNICEF, WHO and UNFPA have taken specific measures to improve maternal and child health.

VI. Right to education (recommendations 77, 78, 79, 80, 81, 82, 83, 84, 85 and 86)

135. Pursuant to article 44 of the Constitution, the objectives of the State's education policy include the gradual elimination of illiteracy and life-long learning.

136. The country has several plans for the education sector, including an interim plan for the period 2013–2015. The plan provides for a number of measures to improve education (promoting schooling, increasing literacy rates, building and renovating infrastructure, etc.).

137. It was evaluated as part of an annual review in 2015.

138. Many achievements were noted. Illiteracy has decreased in prevalence among young people aged 15–25 years.

139. Over the period 2014–2017, UNICEF implemented a plan to provide care for children outside the school system with a view to improving their literacy and possibly reintegrating them into the school system.[11]

140. A similar programme has been implemented by a Comorian non-governmental organization (NGO), the Association Comorienne pour le Bien-être de la Famille (Comorian Family Welfare Association), which is campaigning to bring children, especially girls, back into the education system.

141. For very young children, the gross school enrolment rate increased from 10 per cent in 2010 to 19 per cent in 2015, which reflects real, sustained progress.

142. At the primary level, the gross school enrolment rate reached 100 per cent in 2014 and remained unchanged in 2015.

143. All children have guaranteed access to primary education. Very few children who live in rural areas or have mild disabilities do not attend school. Nevertheless, measures have been taken to increase their enrolment, including the early detection of hearing and vision impairments.

144. In 2015, the primary retention rate was 75 per cent, which is slightly higher than the continental average, and the Government is continuing to work with its partners to increase the country's performance.[12]

145. The gross school enrolment rate for girls reached 99.2 per cent in 2015.[13]

VII. Rights of specific persons or groups

A. Women's rights

1. Normative framework (recommendations 14, 34, 35, 36, 39, 40, 41, 42, 43, 45 and 49)

146. Comorian women are a particular focus of attention. Custom is particularly advantageous to women when it comes to inheritance, as male children are ineligible to inherit certain forms of property. The marital home belongs to the wife. Nevertheless, the Government has taken specific measures to strengthen women's rights.

147. Women's rights are solemnly enshrined in the revised Constitution. Article 30 guarantees women the right to protection by the public authorities against neglect, exploitation and violence in all their forms.

148. Article 34 recognizes women's right to stand for election to local and national political bodies.

149. Article 36 provides for the fair and equitable representation of men and women in the Government.

150. These represent important steps forward for gender equality.

151. The Comoros has ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. This matter was dealt with during the previous cycle of the universal periodic review.

152. The country has also adopted a national strategy to combat violence against women and minors and an accompanying road map.

153. In addition, the country has developed a national gender equality and equity policy, which was revised and approved in 2018. A plan of action for the policy is envisaged, but, owing to a lack of funding, work is yet to begin.

154. The Act on Violence against Women and Children has been passed. Act No. 17-008/AU of 22 June 2017 introduced measures to promote gender equality in access to appointed and elected office.

2. Awareness-raising and physical protection (recommendations 37, 38 and 44)

155. The Gender Office regularly conducts campaigns to raise awareness of this topic. In 2017, two helplines were set up to enable women to report violence and seek protection from a specialized body.

156. Owing to limited resources, there is no shelter for women victims of violence, but a reception centre was set up under the Association Comorienne pour le Bien-être de la Famille in 2017. The centre offers counselling and medical care to women victims of violence.

157. There are plans to set up temporary foster homes for short-term placements (48 hours).

158. These activities are part of a three-year strategy due to end next year, when a new partner will have to take over.

159. Advocacy work is being carried out to encourage partners to renew this strategy.

160. The Gender Office is conducting campaigns to promote women's representation in decision-making positions. In 2018, a book on the careers of 12 female politicians was published and promoted to mark International Women's Day.

161. There are insufficient resources to disseminate the Convention on the Elimination of All Forms of Discrimination against Women, but similar or more substantial awareness-raising measures have been taken and are being implemented, as noted above. Awareness-raising is also being carried out in schools and universities.

162. The following platforms on women's issues have been set up since 2013:

- Women in politics
- Women and sustainable development
- Women entrepreneurs
- Women and combating violence

3. Strengthening women's income-generating activities (recommendations 51 and 52)

163. Women's groups are working to promote income-generating activities.

164. The Gender Office supports agricultural and sewing projects set up by women.

165. The Ministry of Production has launched a project to support farmers. Women account for over 45 per cent of its beneficiaries.

166. The Sudan made a recommendation on strengthening the fight against trafficking in persons.

167. The Comoros has set up a group to monitor the Government's commitments with regard to combating human trafficking.

168. The process of ratifying the Palermo Protocol is under way.

B. Children's rights

169. Children's rights issues have already been addressed in the section on economic and social rights.

170. The revised Constitution guarantees all citizens the right to training, education and instruction. It specifically guarantees the protection of children from neglect, violence and exploitation in all their forms.

171. The National Assembly is currently considering a bill, submitted on 13 April 2018, authorizing the ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

172. At the initiative of the Solidarity and Gender Office and with funding from UNICEF, a study evaluating the child protection system was conducted in 2016 by a Belgian NGO under the supervision of a multisectoral steering committee.

173. Also in 2016, the country developed a child protection policy and accompanying action plan.

174. As for birth registration (recommendation 6), the system has been in place since 2001.

175. To build on this achievement, the Ministry of the Interior has designed birth forms, which are provided to heads of villages for registering births in their localities. The completed forms are submitted to mayoral offices for registration purposes.

C. Rights of persons with disabilities

176. The country has taken measures to protect persons with disabilities. In the Comoros, persons with disabilities are widely involved in all sectors of society, including business, the arts and sport.

177. The country is ably represented by its national teams, which often win medals in international competitions.

178. Persons with disabilities do not experience social discrimination. They are represented on the National Commission for Human Rights and Freedoms.

179. In December 2014, the country passed the Act on the Promotion and Protection of the Rights of Persons with Disabilities. The Act was promulgated by Decree No. 15-0059/PR.

180. The country adopted Act No. 15-003/AU of 19 June 2015 ratifying the Optional Protocol to the Convention on the Rights of Persons with Disabilities, which was promulgated by Decree No. 15-097/PR.

VIII. Status of recommendations that were not accepted

181. The following recommendations made during the previous cycle did not enjoy the support of the Comoros:

- Initiate a debate on the decriminalization of homosexuality (Spain)
- Review the report of the High Commissioner on sexual orientation and gender identity and give consideration to implementing its recommendations (Netherlands)
- Repeal all provisions giving rise to discrimination based on sexual orientation or gender identity and ensure respect for fundamental freedoms for all citizens (France)
- Take steps to avoid discrimination and violation of the human rights of the LGBT population (Brazil)
- Decriminalize religious proselytism and religious freedom (Spain)
- Put measures in place to better protect religious freedom, including through bringing the older Penal Code, which prohibits conversion from Islam, in line with the Constitution, and enabling people of all religions to practise religion openly without risking discrimination (United Kingdom of Great Britain and Northern Ireland)
- Guarantee and protect freedom of religion or conscience for all its citizens (France)

182. The Comoros has not changed its position on these issues, which can be grouped into two subject areas.

183. Religion is the foundation of society and social cohesion. The Constitution proclaims that Comorian national identity is based on Sunni Islam.

184. This can be seen precisely as a response to the inclination of some to use religion to sow division and to the emergence of challenges such as terrorism or radical proselytism.

185. The Comoros is one of the few countries in Africa to have avoided religious conflict. Freedom of religion and conscience is guaranteed, and different religious communities live together peacefully. Religion in the Comoros is very tolerant, like Comorian society itself.

186. The Union of the Comoros considers that sexual orientation is a private matter and thus not a priority at present.

IX. New and emerging issues, including advances and challenges in that regard

187. The Union of the Comoros is firmly committed to protecting and promoting human rights. As detailed above, substantial efforts have been made on the legislative and institutional fronts.

188. Considerable progress has been achieved. For example, the Constitution adopted by referendum in July 2018 contains a section, Title II, largely devoted to citizens' rights and duties, which represents a first in the country's post-independence history.

189. Several human rights-related laws have also been passed, as outlined above.

190. The country has also ratified a number of human rights treaties.

191. Many such initiatives have been implemented and are thus having a real impact on the realization of human rights.

192. However, the country is well aware that the promotion and protection of human rights require constant vigilance and continual adjustments to prevailing circumstances.

193. The Comoros can boast political stability, but this has been shaken in recent months, particularly in the context of the constitutional revision process to which the opposition had not lent its support.

194. The population is able to exercise its fundamental rights without restriction, although there are occasional lapses on the part of the public authorities, for example the police or the army. These lapses can often be explained in large part by a lack of familiarity with the rules.

195. Training courses have been organized to raise awareness of human rights among the public authorities.

196. Although the law guarantees the freedom of the press, some challenges have been encountered with private media outlets, as they are unfamiliar with the provisions in question. The National Council for the Press and Audiovisual Media has been established as the regulator in this area.

197. Freedom of expression is also guaranteed, and no one may be persecuted for political or other opinions formulated in accordance with the law.

198. The recent resumption of dialogue between the Government and the opposition has improved the political climate.

199. Nevertheless, inadequate financial and human resources are preventing human rights from being promoted and protected as fully as they could be. There is thus a need for the support of the international community.

X. Challenges which would require the support of the international community

200. In addition to the requests for assistance made during the previous cycle, which are reiterated here, the Union of the Comoros requires assistance in:

- Developing tools for teaching human rights from the first year of school
- Supporting the establishment of a body to monitor treaties
- Helping the National Commission for Human Rights and Freedoms to operate and monitor international commitments
- Training human rights instructors
- Training judges and lawyers in the application of international standards in national courts
- Developing awareness-raising tools for the public authorities and the population
- Building new judicial infrastructure (a courthouse and a prison)
- Supporting the Gender Office
- Supporting civil society organizations working to promote and protect human rights

201. The most active civil society associations are:

- The Fédération Comorienne des Droits de l'Homme (Comorian Federation of Human Rights)
- The Ngo'shawo youth association
- The NGO Hifadhui (protection of women and children)
- The Réseau Femmes et Développement (Women and Development Network)

- The Fédération Comorienne des Handicapés (Comorian Federation of Persons with Disabilities)
- The NGO Maeecha (education)
- The Confederation of Comorian Workers
- The Association of Journalists
- The National Observatory of Places of Detention
- The Association Comorienne pour le Bien-être de la Famille

202. Civil society is very active in promoting and protecting human rights. It is an important human rights partner for the Government.

203. However, civil society is poorly coordinated and lacks the resources needed to carry out its work effectively, which it is nevertheless truly committed to doing.

Conclusion

204. The Comoros is clearly committed to making progress on human rights issues and intends to continue making such progress.

205. The country has implemented most of the recommendations that it has received and solemnly undertakes to continue its work in this connection.

206. In this regard, the country needs the constant support of its partners.

Notes

[1] Entretien avec le DGDH.
[2] Selon le décret N°11-139/PR du 12 juillet 2011, la DGDH a pour mandat essentiel de « Assurer la mise en œuvre, le suivi et la protection des conventions et traités internationaux et régionaux en matière des droits de l'homme auxquels l'Union des Comores est partie ».
[3] SCADD révisée. Page 42.
[4] Actuellement, les Agents faisant fonctions d'Agents pénitentiaires n'ont pas un statut spécifique. Ce sont soit es fonctionnaires du Ministère de la Justice, soit des fonctionnaires de police.
[5] Entretien avec la DGAJ.
[6] SCADD révisée. P. 60.
[7] Il s'agit des Projets de Fomboni, Ouani, Mbeni, Moroni, Mutsamudu.
[8] Source: Cadre de Programme Pays pour l'Union des Comores. FAO.2014.
[9] Source: Rapport Pays, Habitat III, Ministère de l'Aménagement du Territoire, 2015.
[10] Stratégie sectorielle nationale Energie aux Comores, 2013, Fonds Européen de Développement.
[11] Revue sectorielle du plan intérimaire de l'éducation P.I.E — 2013–2015. **Rapport d'état d'avancement** P.14. Unesco. Juin 2015.
[12] Le système éducatif comorien: un bref état des lieux de la performance et du fonctionnement. Ministère de l'Education Nationale, Juillet 2017.
[13] Revue Sectorielle 2015, Principaux indicateurs du Plan Intérimaire de l'Education, Ministère de l'Education Nationale, P.9 Moroni, 2015.

United Nations A/HRC/WG.6/32/COM/2

General Assembly

Distr.: General
12 November 2018
English
Original: English/French

Human Rights Council
Working Group on the Universal Periodic Review
Thirty-second session
21 January–1 February 2019

Compilation on the Comoros

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1, 2]

2. The Office of the United Nations High Commissioner for Human Rights (OHCHR) noted that the Comoros had acceded to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2017.[3]

3. In 2018, the Office of the United Nations High Commissioner for Refugees (UNHCR) noted with concern that the Comoros had not acceded to the 1951 Convention relating to the Status of Refugees, its 1967 Protocol, the 1954 Convention relating to the Status of Stateless Persons or the 1961 Convention on the Reduction of Statelessness.[4]

4. In 2018, the United Nations country team noted that, since the second universal periodic review, the Comoros had signed or ratified a number of international instruments, including the Convention on the Rights of Persons with Disabilities and a number of International Labour Organization (ILO) conventions. The Comoros continued to encounter numerous obstacles to the effective fulfilment of its commitments, however. Those obstacles were caused by a failure to act on the recommendations made under international conventions, the shortage of human and financial resources of the institutions responsible for follow-up to the recommendations and other shortcomings.[5]

5. UNHCR recommended that the Comoros ratify the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention against Torture and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.[6]

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6. In 2018, the United Nations Educational, Scientific and Cultural Organization (UNESCO) expressed regret that the Comoros had not submitted reports either to the United Nations treaty bodies or to UNESCO since 2011, a situation that made it impossible to have sufficient and up-to-date information on new legislative and political measures adopted with a view to fulfilling human rights commitments. The Comoros should therefore be encouraged to submit reports on its implementation of international instruments, including those of UNESCO, more regularly.[7]

7. The United Nations country team regretted that the Comoros did not have a permanent institutional system to coordinate the steps taken by the Government with regard to its commitments to international mechanisms and to giving effect to recommendations, monitoring progress and producing national reports. Several periodic reports on instruments ratified by the country had not been completed on time, for instance.[8]

8. The country team noted that the General Delegation for Human Rights had forged ties with OHCHR. Discussions were infrequent, however, and the country team was of the view that they should take place more regularly.[9]

III. National human rights framework[10]

9. The country team reported that, since its second universal periodic review, the Comoros had adopted an act on combating violence against women and an act on the promotion and protection of the rights of persons with disabilities.[11]

10. The country team noted that Act No. 11-028/AU of 23 December 2011 on the National Commission on Human Rights and Freedoms had been put into effect by Decree No. 12-042/PR of 18 February 2012. However, the new Commission had met only until July 2017, and the term of the 15 members had still not been renewed.[12] The country team continued to call for the re-establishment of the Commission, which provided an opportunity for the country to create an environment conducive to respect for human rights.[13]

11. The country team regretted that the Criminal Code and the Code of Criminal Procedure adopted by the Assembly of the Union of the Comoros in December 2014 had still not entered into force.[14]

12. The country team noted with satisfaction that the Comoros was organizing a general population census.[15]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination[16]

13. UNESCO indicated that equality of opportunity was still very much unrealized in the Comoros. For instance, levels of educational attainment varied greatly, in particular by income level, sex and location. Similarly, the acquisition of basic skills was still very unequal: the literacy rate, which was as high as 90 per cent in urban areas, was only 75 per cent in rural areas.[17]

14. UNHCR regretted that only men had the right to transmit their Comorian nationality to their foreign spouses. It recommended that the Comoros amend the law in order to enable Comorian men and women to enjoy equal rights to pass on their Comorian nationality to non-Comorian spouses.[18]

15. UNESCO recommended that the Comoros be encouraged to ratify the UNESCO Convention against Discrimination in Education of 1960 and possibly request technical support from UNESCO for that process.[19]

2. Development, the environment, and business and human rights[20]

16. The country team reported that in 2018 the Comoros had adopted a revised strategy for accelerated growth and sustainable development that drew on a vision of the country's emergence by 2030 and encompassed the Government's priorities, the 2030 Agenda for Sustainable Development and Agenda 2063 of the African Union. Steps had been taken in the customs service as part of the 2010–2019 strategy for public finance reform. In particular, practical measures taken in 2016 had made it possible to increase tax revenues. Moreover, a reform of the General Tax and State Property Authority had been initiated, although considerable efforts were needed to see it through to completion, including centralizing taxation authority in the Union of the Comoros and its constituent islands.[21]

17. With regard to the environment, the country team noted that in 2017 the Comoros had prepared a bill on the national system of protected areas, the aim of which was to preserve the biodiversity of the Comoros, and that in November 2016 the National Assembly had adopted the Act authorizing ratification of the Paris Agreement.[22]

B. Civil and political rights

1. Right to life, liberty and security of person[23]

18. The country team found it regrettable that the Comoros had not ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and that it had not abolished the death penalty.[24]

19. The country team noted that the homicides that had been committed over the previous two years had been investigated but that the investigations had not led to convictions. Those shortcomings were largely the result of insufficient application of the relevant judicial and legislative instruments and of a shortage of human, technical and financial resources.[25]

20. The country team was concerned by reports that killings of children had taken place in the Comoros as a result of unwanted pregnancies and the lack of facilities for the care of those children.[26]

21. The country team noted that, during the second universal periodic review, the Comoros had accepted several recommendations on prison administration, including recommendations that it take measures to improve the conditions of detention, in respect of food and sanitation in particular, and to strengthen the independence of monitoring mechanisms. Those recommendations had not been acted on, however, and the prisoners' rights situation was still troubling. Conditions of detention were still inhuman and degrading, and thorough investigations had not been conducted to determine the causes of and liability for deaths in detention.[27]

22. The ILO Committee of Experts on the Application of Conventions and Recommendations requested the Comoros to take the necessary measures to ensure that a draft text to amend Order No. 68-353 of 1968 was adopted and that the new legislation regulating work by prisoners explicitly provided that remand prisoners awaiting trial should not be required to work in prison.[28]

2. Administration of justice, including impunity, and the rule of law[29]

23. According to the country team, the administration of justice had undergone considerable change in the preceding years. In 2015, after the organization in July 2013 of the first examination for admission to the legal profession, some 27 lawyers had been admitted to the Moroni and Anjouan (Mutsamudu) bar associations. The number of specialized attorneys and bailiffs had also increased. In addition, magistrates and clerks had been appointed.[30] The independence of the judiciary had continued to come under attack,

however. The country team was concerned about the improper recruitment of magistrates, in violation of statutory rules, the abusive subordination of the Public Prosecutor's Office to the executive, the lack of training, dilapidated and unhealthy premises and insufficient and obsolete equipment.[31]

24. The country team regretted that the length of police custody and pretrial detention did not always meet the requirements set out by the Code of Criminal Procedure. Lawyers continued to regularly denounce non-compliance with the requirements for police custody and the abusive placement in pretrial detention of suspects who did not pose a real risk to public order.[32]

25. The country team was concerned to note that by a decision of 12 April 2018, the President of the Comoros had used his special powers, defined in the Constitution, to temporarily transfer the powers of the Constitutional Court to the Supreme Court. It noted that the draft Constitution of 30 July had confirmed the abolition of the Constitutional Court.[33]

3. Fundamental freedoms and the right to participate in public and political life[34]

26. The country team reported that Act No. 13-010/AU of 21 November 2013, on the organization and operations of political parties and groups in the Comoros, had been put into effect by Decree No. 14-012/PR of 10 January 2014. The Act's entry into force had resulted in a significant drop from about 40 to 6 in the number of political parties recognized as complying with the new Act. Despite legally established rights, the country had experienced a deterioration in the human rights situation and a restriction of public freedoms, as shown by such developments as the prohibition by the executive authorities of peaceful opposition demonstrations or assemblies, arbitrary and violent arrests of politicians and the closure of some media outlets, including community radio stations. Suspects had been placed in pretrial detention, often for longer than the law allowed.[35]

27. The country team noted that, despite constitutional guarantees, violations of the freedoms of religion and belief had been observed. Laws in force could interfere with the people's enjoyment of their right to freedom of religion and belief and thus put the Comoros in a position in which its domestic laws and the conventions and treaties to which it was a party were incompatible.[36]

4. Prohibition of all forms of slavery[37]

28. The country team stated that Comoros was still not fully compliant with the minimum standards for the elimination of trafficking in persons and was not making significant efforts to that end.[38] In addition, the country team noted with concern that psychological care for victims of trafficking in persons in the centres for victims that were already in place had not been made more widely available.[39]

29. The country team regretted that the Comoros had still not ratified the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.[40]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work[41]

30. The country team noted that the Comoros had a decent work country programme. The implementation of that programme had been made official on 4 May 2015 with the signature of a memorandum of understanding by the International Labour Office and the Government of the Comoros. In addition, the Comoros had ratified a large number of ILO conventions. To ensure that the rights of workers that originated in international norms could in fact be exercised, however, efforts were still to be made. The effective implementation of the conventions was also hindered by the people's lack of awareness of their rights and obligations, including such key actors as national lawmakers and members of the judiciary.[42]

31. The country team was concerned to note that there were multiple violations of workers' rights in the Comoros, given the instability of employment in the country and the high rate of unemployment, which was 50.5 per cent for persons under 24 years of age. In addition, hiring was selective, and being hired depended on criteria other than the traditional standards of competence. In public service, being hired, especially for more senior positions or in some State-owned companies, depended on a person's political affiliation. In addition, the labour inspection system had not yet begun operating because of a lack of qualified inspectors. However, the Ministry of Labour, with the support of ILO, had adopted a plan for the modernization of labour affairs. The major challenge was to implement the plan.[43]

32. The country team indicated that progress had been made in public service employment, as the proportion of female public servants had increased by 10 percentage points, from 30 per cent in 2005 to 40 per cent in 2014. Women's representation in salaried work, which had gone from 18 per cent in 1995 to 24 per cent in 2012, had also increased. However, more also needed to be done to reduce high unemployment among young people, more than half of whom were out of work. Inactivity was more prevalent among young women than among young men: in urban areas, 60 per cent of young women, as opposed to 50 per cent of young men, were inactive, while in rural areas 54.4 per cent of young women, as opposed to 49.5 per cent of young men, were inactive; 36 per cent of women, as opposed to more than 64 per cent of men, had entered the labour market. Those gender inequalities, particularly in access to employment, were the result of factors such as the non-enforcement of existing laws and a lack of transparency.[44]

33. The country team noted with concern that in 2016, nearly 3,000 young people had been dismissed from public service without being given any form of support. The merger of the administration of the Union of the Comoros and those of the islands could lead to public service job cuts.[45]

34. The ILO Committee of Experts noted that section 7 of the Labour Code provided that persons who had left their jobs or occupation could continue to be members of a trade union for a maximum of two years, provided that they had been in that occupation for at least one year. The ILO Committee requested that the Comoros take the necessary measures to amend section 7 of the Labour Code so that the question of continued membership of a trade union was determined by the constitutions and rules of the trade union in question.[46]

35. The ILO Committee of Experts also requested that the Government take the necessary measures to amend the relevant legislation to allow the exercise of the right to strike in the context of the settlement of a collective dispute.[47]

2. Right to social security

36. According to the country team, a large proportion of workers, given the considerable magnitude of the informal economy, were not afforded the protection guaranteed by law.[48]

3. Right to an adequate standard of living[49]

37. The country team recommended that the Comoros diversify the range of international donors with which it partnered with a view to securing technical and financial assistance to better combat poverty.[50]

4. Right to health[51]

38. The country team noted that, in the health sector, the Comoros had a national health policy document (2015–2024) and a national health development plan (2015–2019) currently under implementation. The Comoros was also rolling out strategies for universal health coverage. In June 2017, moreover the National Assembly had adopted the Universal Health Coverage Act, which had been put into effect by presidential decree in October 2017. The country team likewise noted that the Ministry of Health, mandated by the Government to lead the roll-out of universal health insurance starting in 2019, needed support to overcome challenges related to governance, leadership and especially sectoral

coordination of the efforts made in the health system with a view to ensuring the implementation of those policies.[52]

39. The country team reported that women's health indicators, including reproductive health, were improving. Reducing maternal and infant mortality rates had been placed at the core of the objectives pursued by health policies and strategies, thus making maternal and child health key concerns of the public authorities. The main problems in that area included the lack of support measures to reduce the costs of reproductive health care and the inadequate technical capacity of the health-care services. The country team also noted that little use was made of family planning services and that maternal mortality was relatively high.[53]

40. In the country team's view, the challenges were to protect the right to health of women and young people by raising the quality of and demand for maternal, child and newborn health services, in particular by enhancing the technical capacity of service providers and providing health facilities with the medication and equipment to manage obstetric and neonatal emergencies.[54]

41. The country team added that the country had had an HIV/AIDS epidemic that had held steady at low levels since 2014. As a result of prevention initiatives, the prevalence of HIV/AIDS in 2017 was 0.07 per cent among the population aged 15 to 49. Between 2014 and 2017, the prevalence among young people (aged 15 to 24) was and 0.10 per cent. The number of new infections had fallen between 2014 and 2017.[55]

5. Right to education[56]

42. UNESCO pointed out that, during the previous universal periodic review, the recommendations that the Comoros had been given had focused chiefly on the need to ensure that, to eradicate illiteracy, everyone, including children with disabilities and girls, had the right to a high-quality education, primary education in particular.[57] In that regard, UNESCO noted that several educational programmes and policies had been developed and put into effect in the Comoros in recent years, including the Interim Education Plan 2013–2015, which had been extended by the Education Transition Plan 2017–2020.[58]

43. Education, according to the country team, was a priority for the Government of the Comoros. Sector financing and education expenditures in the State budget had increased from 9.8 billion Comorian francs in 2012 to 11.6 billion in 2015, an annual average growth rate of 3.4 per cent over the four years.[59] Progress, not least in respect of access, had thus been made in education in recent years, and preschool and primary education were expanding rapidly. The net rate of enrolment in primary education was 81 per cent. Ninety-two per cent of primary school leavers transitioned to secondary school. However, retention rates in primary and secondary education, at around 40 per cent, were still very low, and repetition rates, at around 17 per cent, were still high. It was estimated that about 17,000 of the 117,000 children of primary school age had never attended school and that 5,000 children had dropped out of school during their primary education. Thus, about 22,000 children of primary school age were not attending any sort of educational institution.[60]

44. UNESCO was concerned to note that in the Comoros less than 5 per cent of schools had single-sex toilet facilities.[61]

45. The ILO Committee of Experts noted that the capacity of schools was very limited and that some primary and secondary schools were obliged to refuse to enrol certain children of school age. Consequently, a large number of children, particularly from poor families and disadvantaged backgrounds, were deprived of an education. It requested that the Comoros intensify its efforts to increase the school attendance rate and reduce the drop-out rate, especially among girls, in order to prevent children under 15 years of age from working.[62]

46. UNESCO recommended that the Comoros take a number of legislative and policy measures. In particular, it should provide equal opportunities and enhance inclusion in education by adopting policies to provide improved educational opportunities for girls, children with disabilities and children from rural or low-income backgrounds; continue making efforts not only to increase enrolment but also to promote the retention of children

in schools and the acquisition of basic skills, with a view to eradicating illiteracy, and improve the working conditions, pay and training of teachers in order to improve the quality of the education system.[63]

47. UNESCO found it regrettable that neither the Constitution nor Framework Education Act No. 94/035/AF of 20 December 1994 made any mention of any guarantee of free education at any level. UNESCO recommended that the Comoros take both constitutional and legislative steps to strengthen the legal framework guaranteeing the right to education and, more specifically, that it bring its domestic legal provisions into line with international standards and obligations, including those laid out in the Convention on the Rights of the Child. UNESCO also recommended that the Comoros take legislative and practical measures to further ensure the inclusion of all children and learners, including girls and persons with disabilities.[64]

48. UNESCO likewise recommended that education reforms cover relevant laws and that the Comoros seek the technical support it could provide.[65]

D. Rights of specific persons or groups

1. Women[66]

49. The country team noted with concern that, in the area of violence against women, harmful practices such as sexual violence, sexual harassment and child marriage persisted. According to the activity reports of counselling services, the number of cases of violence and abuse was increasing. In 2015 and 2016, for example, counselling services had recorded a total of 759 cases of violence against women and child abuse. Efforts were being made by the Government and civil society, with the support of partners, to curb that violence, but the results were still inconclusive.[67]

50. The country team added that thematic development groups had been established at the Gender Office and that Office's partnerships with non-governmental organizations had been strengthened. The review of the National Policy on Gender Fairness and Equality and the development of a national strategy to combat gender-based violence and the thematic platforms on gender-based violence had been undertaken to support the system for combating such violence.[68]

51. The country team noted the Act on the introduction of measures to further the advancement of women in respect of access to appointed and elected office, which had been adopted unanimously by the Assembly of the Union of the Comoros on 22 June 2017. The Head of State's signature of the decree that would put it into effect was pending. The country team found it regrettable, however, that the participation of Comorian women in political life was, in general, still fairly limited. Despite the legislative and legal framework, within which men and women were granted equal rights, women were very poorly represented in the State institutions. At the executive level, only 3 of the 15 ministers, or 20 per cent, were women. The proportion of female lawmakers was also very low. A single member of the 33-member Assembly of the Union (3 per cent) was a woman. Only 4 of the country's 54 communes, or 7 per cent, were run by female mayors.[69]

2. Children[70]

52. The ILO Committee of Experts was concerned that child labour was a visible phenomenon in the country, particularly as a result of poverty and of the low school enrolment rate in some cases. It strongly encouraged the Comoros to take the necessary steps to make education compulsory until the minimum age for admission to employment, namely 15 years.[71]

53. The country team reported that a new children's policy had been adopted by the Government in 2016. The aim of the policy was ultimately to contribute to the creation of an environment in which the children of the Comoros were protected from harm and all forms of physical or mental violence, injury or abuse, from being abandoned or treated negligently and from ill-treatment or exploitation, including child labour and sexual abuse.[72] The new policy had led to the identification of numerous violations of children's

rights in general and those of the most vulnerable in particular, who were victims of various forms of economic exploitation, ill-treatment, sexual abuse and neglect.[73]

54. The country team reported that the National Youth Policy had been approved in December 2017.[74]

3. Persons with disabilities[75]

55. The country team referred to a recent study showing that 41.5 per cent of the persons with disabilities in the Comoros who had attended school had a primary school education, 26.7 per cent had had access to secondary education and only 2.9 per cent had had access to post-secondary education. The results of that study highlighted the gap between the enrolment rate of children with disabilities and that of those without. The country team added that in 2017, in the wake of the development and launch of the National Strategy for Basic Education for Children with Disabilities 2017–2026, the number of children with disabilities included in the national education system had been 1,231.[76]

4. Migrants, refugees, asylum seekers and internally displaced persons[77]

56. UNHCR was concerned that the immigration law established that foreigners who were refused entry to the country could be detained for as long as necessary to arrange for their departure. Such a provision could lead to indefinite detention periods if, for any reason, deportation or repatriation could not be arranged.[78]

57. While, to its knowledge, there were currently no asylum seekers, refugees or stateless persons in the country, UNHCR was concerned that the Comoros did not have a national legislative framework on asylum or any laws or procedures that clearly established the rights and safeguards to which asylum seekers and refugees were entitled. UNHCR recommended that the Comoros enact national asylum legislation and establish a functioning national asylum framework for ensuring international protection, which included procedures for refugee status determination in line with international standards.[79]

5. Stateless persons[80]

58. UNHCR regretted the lack of laws establishing procedures for statelessness status determination or providing a framework for the protection for stateless persons in the country. Additionally, the Comorian nationality law provided no legal safeguard that children born in the country who would otherwise be stateless acquired nationality by operation of the law. UNHCR recommended that the Comoros amend law No. 79-12 of 1979 on nationality to enable children born in the Comoros who would otherwise be stateless to acquire Comorian nationality by operation of the law.[81]

Notes

[1] Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for the Comoros will be available at www.ohchr.org/EN/Countries/AfricaRegion/Pages/KMIndex.aspx.

[2] For relevant recommendations, see A/HRC/26/11, paras. 110.2–110.6, 110.10–110.17, 110.27–110.31, 111.1–111.9, 112.1 and 112.10.

[3] OHCHR, "Highlights of results", in *OHCHR Report 2017*, p. 8.

[4] UNHCR submission for the universal periodic review of the Comoros, p. 1.

[5] United Nations country team submission for the universal periodic review of the Comoros, paras. 1–2.

[6] UNHCR submission, pp. 2–3.

[7] UNESCO submission for the universal periodic review of the Comoros, para. 12.

[8] United Nations country team submission, para. 13.

[9] Ibid., para. 14.

[10] For relevant recommendations, see A/HRC/26/11, paras. 110.18–110.21.

[11] United Nations country team submission, para. 4.

[12] Ibid., para. 5.

[13] Ibid., para. 45.

[14] Ibid., para. 27.
[15] Ibid., para. 12.
[16] For relevant recommendations, see A/HRC/26/11, paras. 113.1–113.6.
[17] UNESCO submission, para. 13.
[18] UNHCR submission, pp. 1 and 4.
[19] UNESCO submission, para. 10.
[20] For relevant recommendations, see A/HRC/26/11, paras. 110.94, 110.98 and 110.101–110.102.
[21] United Nations country team submission, paras. 6–7.
[22] Ibid., para. 10.
[23] For relevant recommendations, see A/HRC/26/11, paras. 110.1–110.9 and 110.55–110.62.
[24] United Nations country team submission, para. 16.
[25] Ibid.
[26] Ibid.
[27] Ibid., para. 21.
[28] See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3337530.
[29] For relevant recommendations, see A/HRC/26/11, paras. 110.58, 110.62 and 112.11.
[30] United Nations country team submission, para. 17.
[31] Ibid., para. 18.
[32] Ibid., para. 19.
[33] Ibid., para. 20.
[34] For relevant recommendations, see A/HRC/26/11, paras. 110.63, 110.100, 112.12–112.13 and 113.7–113.8.
[35] United Nations country team submission, para. 22.
[36] Ibid., para. 24.
[37] For relevant recommendations, see A/HRC/26/11, paras. 110.53 and 112.7.
[38] United Nations country team submission, para. 26.
[39] Ibid., para. 27.
[40] Ibid.
[41] For relevant recommendations, see /HRC/26/11, paras. 110.64–110.66.
[42] United Nations country team submission, para. 28.
[43] Ibid., para. 29.
[44] Ibid., para. 15.
[45] Ibid.
[46] See www.ilo.ch/dyn/normlex/de/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3343986:YES.
[47] Ibid.
[48] United Nations country team submission, para. 28.
[49] For relevant recommendations, see A/HRC/26/11, paras. 110.66–110.68, 110.77, 110.95–110.97 and 110.99.
[50] United Nations country team submission, para. 3.
[51] For relevant recommendations, see A/HRC/26/11, paras. 110.69–110.76.
[52] United Nations country team submission, para. 11.
[53] Ibid., paras. 30 and 32.
[54] Ibid., para. 33.
[55] Ibid., para. 30.
[56] For relevant recommendations, see A/HRC/26/11, paras. 110.76–110.90.
[57] UNESCO submission, para. 9.
[58] Ibid., para. 11.
[59] United Nations country team submission, para. 34.
[60] Ibid., para. 35.
[61] UNESCO submission, para. 13.
[62] See www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3337546.
[63] UNESCO submission, para. 14.
[64] Ibid., para. 13.
[65] Ibid.
[66] For relevant recommendations, see A/HRC/26/11, paras. 110.39–110.52 and 110.85–110.88.
[67] United Nations country team submission, para. 38.
[68] Ibid., para. 37.
[69] Ibid., para. 25.
[70] For relevant recommendations, see A/HRC/26/11, paras. 110.54, 110.92–110.93, 112.4, 112.6 and 112.8.

[71] See www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3337546.

[72] United Nations country team submission, para. 39.
[73] Ibid., para. 40.
[74] Ibid., para. 8.
[75] For relevant recommendations, see A/HRC/26/11, paras. 110.88 and 110.91–110.94.
[76] United Nations country team submission, para. 41.
[77] For the relevant recommendation, see A/HRC/26/11, para. 110.15.
[78] UNHCR submission, p. 2.
[79] Ibid., pp. 1 and 3.
[80] For the relevant recommendation, see A/HRC/26/11, para. 112.6.
[81] UNHCR submission, pp. 1 and 4.

United Nations A/HRC/WG.6/32/COM/3

General Assembly

Distr.: General
12 November 2018
English
Original: English/French

Human Rights Council
Working Group on the Universal Periodic Review
Thirty-second session
21 January–1 February 2019

Summary of Stakeholders' submissions on Comoros*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of three stakeholders' submissions to the universal periodic review, presented in a summarized manner owing to word-limit constraints.[1]

II. Information provided by stakeholders

A. Scope of international obligations and cooperation with international human rights mechanisms and bodies[2, 3]

2. According to JS1, some recommendations made during the second cycle have been implemented by the Comoros, specifically the ratification of some conventions, including the Convention on the Rights of Persons with Disabilities. However, JS1 expressed regret that the Comoros had not implemented in practice a large part of the recommendations issued under the universal periodic review in 2014, including several recommendations on accession to international human rights instruments. Such recommendations had already been made during the first cycle of the universal periodic review, in 2009.[4]

3. JS1 noted with regret that specifically, the Comoros still had not ratified the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.[5]

4. JS1 noted with concern that the institutions set up on a permanent basis to coordinate the country's commitments in respect of international mechanisms were ineffective. Several periodic reports on conventions ratified by the country had thus not

* The present document was not edited before being sent to United Nations translation services.

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been completed on time. For example, the periodic report on implementation of the Convention on the Rights of the Child was overdue.[6]

5. The International Campaign to Abolish Nuclear Weapons noted with appreciation that the Comoros signed the UN Treaty on the Prohibition of Nuclear Weapons on 20 September 2017, and recommended that Comoros ratifies the Treaty as early as possible.[7]

B. National human rights framework[8]

6. JS1 noted that some of the recommendations issued during the second cycle on the adoption of laws had been implemented by the Comoros, including the adoption of the law on the prevention and punishment of violence against women and the law against child labour and trafficking, and that efforts to combat sexual violence against women and children had been stepped up. However, it expressed regret that many of the recommendations of the universal periodic review of 2014 had not, on the whole, been implemented effectively by the Comoros, including recommendations on the strengthening of institutions for the protection of human rights.[9]

7. JS1 reported that several legislative and regulatory texts had been adopted by the Assembly of the Union or signed by the executive branch. However, a number of laws had been adopted but had not been promulgated by the Head of State, including the Criminal Code and the new Code of Criminal Procedure, adopted in 2014, and the Gender Equality Act of June 2017. JS1 added that the Assembly of the Union had faced a number of crises since its election in 2015. Indeed, its sessions had been disrupted, as the President of the Assembly of the Union had refused to recognize some of its appointed members. JS1 also indicated that decrees had been signed by the Head of State overruling or suspending some legislative or regulatory provisions. The country's legislation had thus sometimes been circumvented, violated or even contradicted by lesser standards such as decrees, orders and circulars. It was regrettable that the rule of law and the hierarchy of norms had not always been respected.[10]

8. JS1 noted with concern that the National Commission on Human Rights and Freedoms, established by Act No. 11-028/AU of 23 December 2011 and promulgated by Decree No. 12-042/PR of 18 February 2012, was no longer operational. It added that the Commission's mandates that had ended in July 2017 had only been renewed in September 2018, even before the end of its mandate. The Commission was not independent and did not have sufficient human and financial resources to carry out its mandate effectively.[11]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination[12]

9. JS1 stated that the legislation currently in force in the Comoros guaranteed equality and non-discrimination.[13] However, de facto discrimination persists in the Comoros, particularly based on gender, disability and geographical and social origin.[14]

2. Civil and political rights

Right to life, liberty and security of person[15]

10. JS1, while noting that death sentences had not been carried out in the Comoros since 2014, expressed regret that the death penalty had not been abolished in the country's new Criminal Code.[16]

11. JS1 expressed concern about cases of murder and arson that had reportedly gone unresolved.[17]

12. JS1 reported that living conditions in the country's three remand centres did not meet international standards. Prisoners were held in conditions that were degrading and that violated their human dignity. JS1 expressed regret that measures to improve conditions of detention and to strengthen the independence of oversight mechanisms had not been taken. According to JS1, the measures taken to ensure hygiene and sanitation were abysmal; there were no wards reserved for juveniles and minors were mixed with adult detainees.[18]

Administration of justice, including impunity, and the rule of law[19]

13. JS1 reported that a national conference on the rule of law and good governance had been held in February 2018.[20]

14. According to JS1, the recommendations issued by the universal periodic review in 2014 had not, on the whole, been effectively implemented by the Comoros, including those relating to the fight against corruption.[21]

15. JS1 noted that the anti-corruption campaign had been moribund for years, that in the latest report of Transparency International, from 2017, the Comoros had fallen from 136th place in the world in 2015 to 148th in 2017 and that in 2013 the country had ranked 127th. JS1 also indicated that the National Commission for Action against and Prevention of Corruption (CNPLC) had been out of commission since 2016. It added that Decree No. 16-228/PR of 8 September 2016 had repealed some of the provisions of Act No. 08-13/AU of 25 July 2008 on the transparency of public activities in the country's economic, financial and social spheres. That decree had been cancelled on 13 October 2016 by a decision of the Constitutional Court, but the executive branch had never complied with the decision.[22]

Fundamental freedoms and the right to participate in public and political life[23]

16. According to JS1, the Comoros had had a democratic change of President in May 2016 as a result of the elections.

Freedom of the press[24]

17. JS1 noted that in 2017, Reporters without Borders had ranked the Comoros forty-ninth in the world in terms of freedom of the press. However, the Comoros had slipped by five rankings between 2016 and 2017. JS1 added with concern that between 2014 and 2018 many radio stations had been shut down and journalists had been harassed and laid off by the State media. In addition, it expressed concern that public demonstrations were no longer authorized.[25]

18. According to JS1, freedom of worship was threatened, and certain acts committed against the Shia Muslim minority violated the conventions ratified by the Comoros.[26]

Prohibition of all forms of slavery[27]

19. JS1 reported that the law against child labour and trafficking in children had been adopted.[28]

3. Economic, social and cultural rights

Right to work and to just and favourable conditions of work[29]

20. According to JS1, the recommendations issued under the universal periodic review in 2014 had not, on the whole, been effectively implemented by the Comoros, including those relating to the fight against unemployment.[30]

21. JS1 noted that the country has sluggish growth, with insufficient job creation. The participation rate was still relatively low, at 49.4 per cent. Officially, the unemployment rate had risen to 13.5 per cent in 2004 and to 14.3 per cent in 2013. JS1 noted that unemployment was particularly bad among young people. The unemployment rate among persons under 24 years of age had reached 50.5 per cent in 2013, and the rate for women was still twice as high as for men, irrespective of education levels. According to JS1, after the President had come to power in 2016, several thousand young people had been dismissed from State enterprises and the public administration.[31]

Right to health[32]

22. According to JS1, the recommendations issued by the universal periodic review in 2014 have not, on the whole, been effectively implemented by the Comoros, including those calling for efforts to be stepped up to guarantee free health services for all, even while a study on universal health coverage was being carried out in the same period.[33]

23. According to JS1, the country's health sector was confronted with low quality of health services and an inadequate allocation of human resources in terms of quantity and quality. Emergency first aid was not free of charge. The immunization rate was declining and the child malnutrition rate was continuing to rise, with 30 per cent of children suffering from chronic malnutrition and 11 per cent from acute malnutrition (EDSMICS 2012). In addition, the prevalence rate for malaria, which had fallen in recent years (12,000 cases recorded in the first half of 2018, as against 4,893 in 2017), was again increasing.[34]

24. JS1 noted that Comorian legislation prohibited abortion, except for therapeutic purposes. It also indicated that the number of illegal abortions was growing quickly in the Comoros.[35]

Right to education[36]

25. JS1 reported that progress had been made over the years to strengthen the education system and ensure access to quality education for all children in the Comoros. However, despite increased access to all levels of education, many challenges still remain, including high school repeater and dropout rates at the primary and secondary levels, poor performance of the system as a whole, a high illiteracy rate, poor management of human resources and an increase in and adverse effects of commercialization in education. According to JS1, public schools were dilapidated, the provision of technical education had broken down and repeated strikes undermined the education system.[37]

4. Rights of specific persons or groups

Women[38]

26. JS1 reported that assistance from development partners had helped to build capacity for counselling of child and woman victims of violence and had made it possible to reveal the extent of violence against women. In 2017, 82 per cent of the violent acts registered by such services were committed against women and girls, and there was an increasingly high rate of spousal violence.[39]

27. JS1 reported that the country's Constitution of 23 December 2001 established that the composition of the Government had to ensure fair and equitable representation of the country's islands and fair and equitable ratios of women and men. However, it expressed regret that the new Government of 15 members formed on 28 August 2018 included just 3 women.[40]

Children[41]

28. JS1 reported that the Comoros did not take sufficient steps to ensure the right to life of children and to create an environment conducive to ensuring, to the maximum extent possible, the survival and development of the child.[42]

29. Global Initiative to End All Corporal Punishment of Children (GIEACPC) noted corporal punishment in Comoros was prohibited as a sentence for a crime. However, it was concerned that in Comoros, corporal punishment of children was still lawful in the home, in alternative and day care settings, in schools and in the penal institutions, despite recommendations to prohibit it by the Committee on the Rights of the Child. GIEACPC noted that at its second Universal Periodic Review, the issue of corporal punishment of children was raised in the summary of stakeholders' information, and the national report of Comoros stated that corporal punishment was not a practice in Comorian society. Nevertheless, the Comoros accepted several recommendations to prohibit corporal punishment in all settings, stating that the new Criminal Code under the process of adoption contained provisions to criminalize corporal punishment. However, according to GIEACPC,

since the review, there had been no changes in the legality of corporal punishment of children. The new Criminal Code is yet to be promulgated by the President and it is unclear whether it repeals corporal punishment. GIEACPC recommended that Comoros enact legislation to explicitly prohibit corporal punishment of children in all settings, including in the home, and repeal all legal defences for its use, including in the Family Code of 2005.[43]

Persons with disabilities[44]

30. With regard to the rights of persons with disabilities, JS1 noted that the legislation protecting their rights was not fully respected. For example, the equal opportunity card that was to be distributed to persons living with disabilities by the Ministry of Employment had still not been issued. In addition, the law called for the provision of free health care to persons living with disabilities, but they had not received it in practice.[45]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

GIEACPC	Global Initiative to End All Corporal Punishment of Children Geneva (Switzerland);
ICAN	International campaign to abolish nuclear weapons Geneva (Switzerland);

Joint submissions:

JS1	**Joint submission 1 submitted by**: MAEECHA (Mouvement Associatif pour l'Education et l'Egalité des Chances); FCDH (Fédération Comorienne des Droits de l'Homme); HIFADHU, ASCOBEF (Association Comorienne pour le Bien-être de la famille); FECOSC (Fédération des Organisations de la Société Civile); CAP (Conseil de la Paix); UNONOFAMILY; Ulanga Ngazidja; FAHAC (Fédération des Associations des personnes handicapées aux Comores); Observatoire des Elections Comoros.

[2] The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

[3] For the relevant recommendations, see A/HRC/26/1, paras. 110.2–110.6, 110.10–110.17, 110.27–110.31, 111.111.9, 112.1, and 112.10.
[4] JS1, paras. 10 and 11.
[5] JS1, para. 6.
[6] JS1, para. 6.
[7] ICAN, page 1.
[8] For relevant recommendations, see A/HRC/26/11, paras. 110.18110.21.
[9] JS1, para. 10.
[10] JS1, para. 5.
[11] JS1, para. 8.
[12] For relevant recommendations see A/HRC/26/11, paras. 113.1–113.113.6.
[13] JS1, para. 12.
[14] JS1, para. 12.
[15] For relevant recommendations see A/HRC/26/11, paras. 110.1–110.9, 110.55–110.5110.62.
[16] JS1, para. 16.
[17] JS1, para. 15.
[18] JS1, para. 16.
[19] For relevant recommendations, see A/HRC/26/11, paras. 110.58, 110…62 and 112.11.
[20] JS1, para. 4.
[21] JS1, para. 10.
[22] JS1, para. 9.
[23] For relevant recommendations see A/HRC/26/11, paras.110.63, 110.100, 112.12, 112.13, 113.7, and 113.8.
[24] JS1, para. 17.
[25] JS1, para. 17.
[26] JS1, para. 18.
[27] For relevant recommendations see A/HRC/26/11, paras. 110.53 and 112.7.
[28] JS1, para. 19.
[29] For relevant recommendations, see /HRC/26/11, paras. 110.64–110.66.
[30] JS1, para. 10.
[31] JS1, para. 20.
[32] For relevant recommendations see A/HRC/26/1, paras. 110.69–110.76.
[33] JS1, para. 10.
[34] JS1, para. 21.
[35] JS1, para.
[36] For relevant recommendations see A/HRC/26/1, paras. 110.76–110.90.
[37] JS1, para. 22.
[38] For relevant recommendations, see A/HRC/26/1, paras. 110.39–110.52, 110.85–110.88.
[39] JS1, para. 15.
[40] JS1, para. 12.
[41] For relevant recommendations, see A/HRC/26/1, paras. 110.54, 110.92, 110.93, 112.4112.6 and 112.8.
[42] JS1, para. 14.
[43] GIEACPC, page 1.
[44] For relevant recommendations, see A/HRC/26/1, paras. 110.88 and 110.91–110.94.
[45] JS1, para. 13.